

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 ABUJA 003223

SIPDIS

SENSITIVE

FOR DS/ATA, S/CT, L/LEI AND INL

E.O. 12958: N/A

TAGS: [PTER](#) [KCRM](#) [KTIA](#) [PREL](#) [NI](#)

SUBJECT: WAR ON TERRORISM: NIGERIA'S EFFORTS TO UPGRADE LAWS

REF: A. A) STATE 210627 B) ABUJA 2793 C) ABUJA 2606
[B](#). D) ABUJA 2542

Sensitive But Unclassified -- Protect Accordingly.

1.(SBU) The Government of Nigeria had begun upgrading its money laundering and financial crimes legislation that existed prior to September 11. Currently, Nigerian law criminalizes only drug money laundering and proscribes select forms of financial crimes in a piece-meal fashion. The Nigerian Penal Code criminalizes acts of violence, including terrorism.

2.(SBU) President Obasanjo recognizes the serious deficiencies of Nigerian law in both addressing general money laundering and, more specifically, the use of funds for terrorism. Reflecting the heightened concerns post-September 11, the President reportedly directed his staff in late October to modify the draft Financial Crimes Commission (FCC) Act to include terrorism and terrorism financing. In meetings with Ambassador Jeter, he has also made explicit requests for technical assistance in upgrading Nigeria's anti-terrorism and anti-money laundering laws as well as improving law enforcement efforts against these crimes.

3.(SBU) Since Post reported on the FCC Act revisions that included terrorism (Ref B)) done on the eve of President Obasanjo,s November 2 visit to Washington) the GON has further refined the draft legislation to focus more on terrorism financing. The draft law now contains a definition of terrorism:

QUOTE: (a) any act which is a violation of the Criminal Code or the Penal Code and which may endanger the life, physical integrity of freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to)

(i)intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act or to adopt or abandon a particular standpoint, or to act according to certain principles, or

(ii) disrupt any public service, the delivery of any essential service to the public or to create a public emergency; or

(iii) create general insurrection in a State;

(b) any promotion, sponsorship of, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organization or procurement of any person, with the intent to commit any act referred to in paragraph (a) (i), (ii) and (iii).

END QUOTE

4.(SBU) In a December 12 meeting with Ebenezer Obeya, Legal Assistant to the National Security Advisor, RNLEO obtained a copy of the newly revised draft law, entitled the "Anti-Terrorism, Economic and Financial Crimes Commission Act." Obeya disclosed that the Attorney General,s office and the Presidency have been holding consultations with key members and committees of the National Assembly to build support for the new law.

5.(SBU) In a December 13 conversation with RNLEO, Attorney General Bola Ige claimed that this new legislation would supersede the existing 1995 Money Laundering Act and would be passed by the National Assembly in the first quarter of 2002. Ige had just returned from a trip to Rome where he attended

a meeting of the Financial Action Task Force,s (FATF) Africa and Middle East Review Group. The Attorney General and a team of working level experts presented to the AMERG the GON,s new efforts to improve Nigeria,s record on money laundering in the wake of the FATF,s June declaration of Nigeria as a "non-cooperative country or territory" on money laundering controls. Stating that the meeting went extremely well, Ige confirmed that the new FCC bill was the centerpiece of the GON,s presentation and he claimed that this drew a good reaction from AMERG members.

6.(SBU) The Attorney General made a point of expressing his pleasure to discover, upon arrival at the Rome FATF meeting that "the U.S. Government keeps its pledges") referring to the presence and support at the meeting of a USG money laundering expert who had participated in discussions of the November 9 Bilateral Law Enforcement Committee meeting in Washington. During those discussions, the USG expert (INL or Treasury) pledged USG support within the FATF for the steps the GON was taking to improve its money laundering controls.

JETER
Jeter